

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 408 – SB 866

March 5, 2013

SUMMARY OF ORIGINAL BILL: Prohibits local education agencies (LEAs) from granting leave to individuals who are elected as statewide president of a professional employees' organization. Current agreements for officeholders of these positions will not be affected by this prohibition.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (004133): Deletes all language after the enacting clause. Authorizes local boards of education to grant leave to individuals who are elected to statewide office as an officer, director, trustee, or agent of a professional employees' association. Defines "professional employees' association" as any organization or association granting membership to professional employees of local education agencies or the Department of Education, provided that such organizations or associations exceed 1,000 dues-paying members. Requires that association service leave be without pay. Benefits that are maintained must be borne at the participant's or association's expense. Requires leave participants to maintain their position within the LEA with no salary advancement and no accrual of sick, personal, or professional leave for the duration of the leave period. Requires leave participants to be returned to their former position or a comparable position at the end of the leave period. Requires such leave be granted only if participants agree to return to the LEA for a period of time equal to the leave period. Prior to the leave participant being allowed to return to the LEA, leave participants must reimburse the LEA for any costs associated with staffing their position during the leave period. Current agreements for presidents of such organizations will not be affected by this act.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

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Assumptions for the bill as amended:

- Currently, individuals who have taken leave for this purpose are not paid by the LEA or provided benefits unless the individual bears the cost.
- Leave may be granted at the discretion of the local board of education. Any increase in permissive local expenditures for replacement employees is estimated to be not significant.
- No impact on the Basic Education Program (BEP) funding formula.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read 'Lucian D. Geise', written in a cursive style.

Lucian D. Geise, Executive Director

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